

MINUTES OF THE SPECIAL REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY, AUGUST 16, 2004

The city of Springfield council met in special regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, August 16, 2004, at 7:18 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken, City Councilors Fitch, Woodrow, Lundberg, Ballew and Ralston, Also present were City Manager Mike Kelly, Assistant City Manager Cynthia Pappas, City Attorney Joe Leahy, City Recorder Amy Sowa, and members of the staff.

PLEDGE OF ALLEGIANCE

CONSENT CALENDAR

1. Claims
2. Minutes
 - a. July 26, 2004 – Work Session
 - b. July 26, 2004 – Special Regular Meeting
3. Resolutions
 - a. RESOLUTION NO. 04-37 – A RESOLUTION TO APPROVE A PERMIT UNDER THE NOISE ORDINANCE ALLOWING OREGON DEPARTMENT OF TRANSPORTATION TO WORK ON A 24 HOUR BASIS BEGINNING FEBRUARY 1, 2005 THROUGH NOVEMBER 30, 2005 FOR THE I-105: WILLAMETTE RIVER TO PACIFIC HIGHWAY RECONSTRUCTION PROJECT.
4. Ordinances
5. Other Routine Matters
 - a. Authorize Staff to Apply for Approximately \$1,000,000 in 2007-2008 Oregon Department of Transportation (ODOT) Transportation Enhancement Grant Funds for Downtown Streetscape and Pedestrian and Bicycle Facility Improvements.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPROVE THE CONSENT CALENDAR. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

PUBLIC HEARINGS

1. Proposed Glenwood Urban Renewal District and Resolution for a Ballot Measure Allowing City Council Approval of Glenwood Urban Renewal Plan.

RESOLUTION NO. 04-38– A RESOLUTION REFERRING TO THE ELECTORS OF THE CITY A BALLOT MEASURE AUTHORIZING AN URBAN RENEWAL PLAN ALLOCATING TAXES FROM GLENWOOD PROPERTIES TO THE GLENWOOD URBAN RENEWAL DISTRICT PLAN.

Development Services Director Bill Grile presented the staff report on this item. At the July 26, 2004 Work Session, council considered potential Urban Renewal Districts in Downtown and Glenwood. Council indicated a preference for proceeding with a 20-year Glenwood Urban Renewal District in conjunction with Lane County if Lane County had a positive interest. Lane County leadership has indicated positive support for Springfield's setting up a Glenwood Urban Renewal District. Council needs to place a measure on the November 2, 2004 ballot to meet City Charter provisions. Voter approval would allow council to approve the Glenwood Urban Renewal Plan.

With Lane County's approval the council can adopt an Urban Renewal District that includes areas in Glenwood not yet annexed to the city. Key to Lane County's approving the Plan is involvement with the city in constructing the list of projects. Attachment 1 included in the agenda packet describes the process to establish the Glenwood Urban Renewal District.

As a preliminary draft Glenwood Urban Renewal Plan, Attachment 2 included in the agenda packet provides general outlines of the text portion of the plan, a list of projects, and their estimated costs in 2004 dollars. Numerous projects could be done in Glenwood depending on the estimated revenue and the district's planned duration of 20 years. Desired projects, their costs, potential revenue, policies, duration of the Urban Renewal District, etc. are typically set by the Urban Renewal Agency. Council established Springfield's Urban Renewal Agency in 1986: the Springfield Economic Development Agency (SEDA). SEDA's powers and authority are exercised by the governing body of the City of Springfield acting as the Urban Renewal Agency. The Mayor and council would convene SEDA as the Urban Renewal Agency in September to begin that process.

Approval of the proposed resolution (Attachment 3 in the agenda packet) places a measure on the November 2, 2004 ballot. With voters approving the question, council could adopt the Glenwood Urban Renewal Plan as required by provisions of the City Charter (Attachment 4 in the agenda packet) and State Law.

Mr. Grile discussed what happens when a property within the Urban Renewal District (URD) is annexed into the city and the tax revenue that would generate to both the city and the URD. The plan with the project list is something that could stimulate council's discussion regarding this plan. He acknowledged Bob Keefer, Superintendent from Willamalane Parks and Recreation District, who was present in the audience. The total cost of the projects is an estimated guess, but is a reasonable figure. He discussed the maximum allowable debt. Adjustments could be made to the project list. He referred to the resolution before council tonight that would refer this to the voters as is required in the city's charter. He referred to the steps and timeline involved in preparing the plan and project list, putting the URD on the ballot, holding public hearings, adopting the plan by the URD Board and receiving approval by the county.

Councilor Woodrow confirmed properties in the URD were not obligated to annex into the city. He asked if anybody's taxes would go up because of the URD.

Mr. Grile said there should not be any tax increase. City staff and their consultant will be researching that. Any tax increase at all would only be pennies a year if at all.

Mayor Leiken opened the public hearing.

1. Steve Roth, 4006 Franklin Boulevard, Eugene, OR. Mr. Roth thanked council for the opportunity to comment tonight. Mr. Roth and his brother own about eight acres of riverfront property in Glenwood and property along Franklin Boulevard. They own a couple of businesses, including Camp Putt and Roaring Rapids. They have been very lucky at this location with two successful businesses and they would like to see more successful businesses in that area. Many areas besides Springfield have the ability to do tax increment financing, the ability to work with developers and bring in upscale, positive development and Springfield does not have that right now. He discussed the potential of the new offramps from Interstate 5, the proposed arena and other things that are happening in the community. He would like to see urban renewal because it gives the City of Springfield the opportunity to compete with other areas and to work with developers who are accustomed to that type of financing mechanism. It offers opportunity. He thanked council for considering urban renewal in Glenwood. He is very excited in seeing Glenwood reach its potential. He invited council to come to Roaring Rapids and look at the riverfront area from their rooftop vantage point.
2. Murray Pettitt, 1011 Harlow Road, Suite 300, Springfield, OR. Mr. Pettitt thanked council for allowing him to speak. Mr. Pettitt is a member of the Springfield Chamber of Commerce Board of Directors and is Chair of the Springfield Chamber of Commerce Future Committee. He spoke to express the Springfield Chamber of Commerce Board of Director's support for the creation of an Urban Renewal District in Glenwood. The Chamber of Commerce has taken an active role in Glenwood over the past several years, such as championing the issue of jurisdictional change and sponsoring the Glenwood project as a partnership between the Chamber and the University of Oregon (UofO) School of Architecture. Chamber support of urban renewal in Glenwood is one more chapter in the Chamber's continuing involvement and interest in Glenwood. He discussed two points of concern that some may have regarding formation of the URD. The plan suggests approximately \$32M for possible projects. It is important for the public to understand the proposed project list does not commit the city, the Urban Renewal Agency or the public to any decision about borrowing or incurring debt. The project list simply establishes a list of actions that can be considered in much greater detail and in the context of knowing there are sufficient dollar resources that would allow any debt to be paid on favorable terms. The current assessed value of the land in Glenwood does not reflect the highest and best use of this underdeveloped area. Glenwood has remained underdeveloped for many years and may remain so for years to come without the assistance of an URD. With an URD, the public will be making a significant statement that we will be doing all we can to create a positive development climate for Glenwood. With this statement, the private sector will see that there is public support for new growth and development in Glenwood. The city can't develop Glenwood; it is up to the private sector to build the developments. By creating an URD in Glenwood, the city will be doing everything it can to attract the type of private sector development that could make Glenwood the destination location that would make all of us proud.
3. Randy Hledik, P.O. Box 7428, Eugene, OR. Mr. Hledik spoke on behalf of Jim Wildish, president of Wildish Industrial Development, Corporation. Mr. Hledik read a letter from Mr.

Wildish into the record and submitted the letter to the city recorder. The letter spoke in support of an URD in Glenwood and the potential of the Glenwood area.

4. Bob Riecke, President of Pape Properties, 355 Good Pasture Island Road, Eugene, OR Pape Properties owns property in the Glenwood area and would like to see the URD approved for submittal onto the ballot. They feel the URD is a great tool and would provide an opportunity to be proactive on this issue. Mr. Riecke noted his years living in the Portland area and how Portland used the URD as a tool to revitalize areas and keep areas vital. He would like to see that happen in this community as well.
5. Fred Simmons, 312 S. 52nd Place, Springfield, OR. Mr. Simmons said that if the URD is put in place, and if they have willing sellers and willing buyers he could be supportive. If they use the URD to use eminent domain to amalgamate for the purposes of development, he has a constitutional objection. There is an impact on the General Fund and to the citizens of the city. All URD funding is excluded from the General Fund and each of the other payers of taxes has to pay a proportional amount higher. Growth costs money. He agrees that it is a great idea to develop Glenwood, but if there is an impact on the citizens of Springfield, that impact must be included in the information shared with the citizens so they can make a decision based on those facts. He is not opposed to development, but is opposed to confiscation through eminent domain and untruthfulness about the financial costs.
6. Steve Moe, P.O. Box 847, Springfield, OR. Mr. Moe said urban renewal in the 1960's involved condemning blocks of homes and building high-rise, low-rent apartments. He believes, however, that if urban renewal is used in the appropriate manner, it could be a tool to begin the rebuild of a community. He is in support of using urban renewal in the Glenwood area, not as a method of condemning blocks of houses and displacing people, but as a tool to selectively take underutilized areas, provide up-to-date infrastructure and allow for redevelopment. He is not supportive of using urban renewal in the core residential area of Glenwood as those people are happy and love their neighborhood. He asked council to leave those neighbors alone, but to use urban renewal to develop the industrial and commercial areas that were built fifty to seventy-five years ago and haven't been touched since. He described Franklin Blvd. in the earlier years. Most open property on Franklin Blvd. was businesses or homes, but over the years has been in decline. The assessed value over the past ten years has actually decreased. Urban renewal unchecked can do a lot of damage, but if used as a tool, with input from the citizens, working together, it could make a better Glenwood. Glenwood could be a doorway between both cities and a place where people would be excited to live in new housing units, work in new businesses, shop in the new stores, use the new Bus Rapid Transit (BRT) and visit the river. It is time to rebuild the Glenwood community. He referred to a quote in the Register Guard and asked that council wait until after the public hearing to make their decision.
7. Eric Marvin, 7107 SE 30th Avenue, Portland, OR. Mr. Marvin represented his father, Phil Marvin, who owns about eight acres in Glenwood north of the bridge into Springfield. He believes the continuity and consistency that a plan would bring to the area would be positive and very important. It could bring so much to the area that it is currently lacking. The plan coupled with the tax increment financing, the infrastructure and the caliber of sustainable design it would bring, would make the area very special. The URD agency would be able to steer how they want the community to grow. The redevelopment could allow them to focus the money how they want to, such as for affordable housing. No one will be left behind if

council does not want them to be left behind. It is very exciting and would be a positive move for Glenwood.

8. Bob Keefer, Superintendent, Willamalane Parks and Recreation, 200 South Mill Street, Springfield, OR. Mr. Keefer represented Willamalane Parks and Recreation District. Mr. Keefer discussed the meeting in June with Springfield Community Development Manager John Tamulonis, Development Services Director Bill Grile and the Willamalane Board in which they discussed an Urban Renewal District either in Glenwood, Downtown or both. At that time, the board was generally in support of either districts looking after the long-term good of this community and having another tool. There is the opportunity that it could decrease some revenue to Willamalane. The board is looking for a win-win and this is one of those tools that could bring about that outcome. Willamalane has had a strong partnership in the last few years with the city. The board understands the city has some big issues and would like to partner with the city to assist in this endeavor. Willamalane recently completed their Comprehensive Plan which includes improvements in Glenwood. Very little of those improvements were going to be funded within their current budget. This is an opportunity for Willamalane to fund some of those improvements and that is where the situation becomes win-win. The city and Willamalane will hold a joint meeting on September 27 and he would like them to take this discussion further at that time. Willamalane would be happy to have another conversation regarding urban renewal if this measure passes on the November ballot, to discuss more specific projects. On a personal note, when he lived in Bend, he saw tax increment financing as a great tool in the downtown. It also made big improvements in the parks and the ability to enjoy the parks. He encouraged council to take this opportunity to look at this very seriously. Willamalane will be looking for a win-win when they partner with the city.

Mayor Leiken closed the public hearing.

Mr. Kelly spoke on the issue of condemnation which was brought up by Mr. Simmons during his testimony. There is a perception that URD sometimes condemn and take properties. The City of Springfield does not have a history of doing much condemnation. The city council will be the board of the Urban Renewal Agency and will decide if they will condemn or not. There is not much difference in their powers as City Council and as the Board of the Urban Renewal Agency regarding condemnation. If they chose to condemn properties for infrastructure or for economic development, they could do it in either capacity. Creating a board does not create unlimited powers they do not currently have regarding condemnation. There is another concern of the subsidy during the twenty year period. If council assumes that all the projects would take place anyway, it could be viewed as subsidies and that the increased taxes could have been invested. If council assumes that with the advantage of URD, with the ability to aggregate properties if they chose to do so with willing sellers or through condemnation and with placing infrastructure there, and that all of Glenwood could be used, it could encourage larger developers because of these things. If that is the view, the city would be in a better position throughout the life of the URD. If we can attract development quicker because of urban renewal, the properties would annex more quickly and the tax base would apply. In that case, there could be a benefit. It is an issue of whether they feel the development would occur anyway, or whether they feel that with this tool more valued development would occur, benefiting the tax base because properties would annex to the city at a quicker rate than they would have without the urban renewal.

Councilor Ballew spoke in support of the URD. For voters to approve this gives council permission to begin a process that will involve more public involvement and partnering with other agencies. This process will lead council to determine how they will do this.

Councilor Ralston said his main problem with URD is that the area is too large. Also, twenty years is a long time to forego benefits he feels will happen anyway. He discussed the concern that undesirable development could go in without the URD, but he feels there are other ways to control what development occurs. He is also concerned because the people that are most affected by this will not be able to vote on this. He feels better knowing the council would be the governing body and would have control. He is still not convinced it is not a subsidy. There may be a benefit to the city in twenty years, if we make it the twenty years, but it will not help balance our budget over the next several years. He was relieved to hear that as businesses annex to the city, the city would be able to add them to the tax roles. Other than his concerns about the size of the district, the length of time the district would be in place and the citizens affected, he is sitting on the fence on this issue. Ultimately, it is up to the citizens. If the citizens approve, he will be supportive.

Councilor Fitch said representing the Glenwood area has been a pleasure. She referred to the many meetings she has attended with the citizens in that area. We have a beautiful community here and we also have an urban growth boundary (UGB). Within the UGB, the challenge is to try to develop and redevelop to the highest use, so we do not continually expand, and allow use to maintain some of our green areas. The URD is one way of taking an area and helping it redevelop, and updating our plan as it progresses. The community and the city can do the things it does well such as streets and infrastructure, to accommodate development. Councilors have said we may have the development anyway. She looks at Glenwood now and the pride the citizens have in that area. She wants that pride to grow. As council brings this forward, they will be asking citizens for their trust to allow the city to implement this district. The city has the partnerships they are known for to make something better together. They can create a vision that everyone will be proud of. This is the moment to ask citizens to allow council to continue discussions.

Mayor Leiken said he missed the work session on this topic. He discussed the ribbon cutting at the Oregon Department of Transportation (ODOT) temporary bridge and that Jeff Sheik, Region Manager from ODOT talked about the interchanges into Glenwood. He read the editorial in the Register Guard which said the offramp from I-5 into Glenwood is a great opportunity for a grand entrance into both communities. Glenwood is the gateway to the Willamette. He said there is an opportunity to work with citizens and to convince citizens urban renewal is a great idea and tool. Over the last twenty-five years, some of the most stringent regulations have been put on businesses. He discussed the enterprise zone which is also a subsidy in a sense, but it brings in big business. Urban renewal is a tool and an opportunity for the city to work with the private sector to make something happen. This will be a lasting legacy for Springfield and for Glenwood. He would hope council would approve this tonight and talk with citizens about the possible benefits of this to Springfield, such as job creations and the opportunities for the citizens to work, play and have fun in our community.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 04-38 WITH THE EXHIBIT A PROVIDED WHICH SPECIFIES THAT THE PLAN DURATION WOULD BE 20 YEARS. THE BALLOT TITLE ADOPTED IS THE ONE THAT REFLECTS THE THOUGHT PROCESSES FROM THE

WORK SESSION WHICH INCLUDE THE PLAN DURATION WOULD BE 20 YEARS. THE MOTION PASSED WITH A VOTE OF 5 AND 0 AGAINST.

2. Public Safety Facility Bond Measure.

RESOLUTION NO. 04-39 - A RESOLUTION REFERRING TO THE ELECTORS OF THE CITY A BALLOT MEASURE AUTHORIZING THE ISSUANCE OF \$28,650,000 IN GENERAL OBLIGATION BONDS TO FINANCE THE CONSTRUCTION OF A POLICE/COURT AND MUNICIPAL JAIL FACILITY AND RELATED IMPROVEMENTS; AND AUTHORIZING OTHER MATTERS IN CONNECTION THEREWITH.

Police Chief Jerry Smith presented the staff report on this item. Council has discussed constructing a new public safety facility and a municipal jail.

The facility housing the police, court and city prosecutor was originally constructed in 1949 and 1957 and has undergone several remodels. The facility was not constructed to house a police department and in fact consists of two separate contiguous buildings. The current facility contains a 10 bed jail.

The current facility consists of approximately 24,000 square feet and because of design, presents cost prohibitive or structural prohibitions to expansion. A companion discussion to the issue of constructing a new public safety facility is a decision on whether to construct a municipal jail. The current police facility houses a ten bed jail that is used as a holding facility after years of use as a municipal jail.

Berry Architects performed a Space Needs Study in 1999 that has been used for cost projections as we move forward in discussions. Heery International, Inc. updated these cost figures resulting in a construction cost of \$24,065,136 for a facility to house police, municipal court, prosecutor and a municipal jail. These construction costs are based on two separately constructed buildings. Additional costs for land acquisition, fees, site preparation, demolition and financing costs bring the total cost to \$28,650,000. This would equate to an assessment of \$.87 per thousand. A facility that did not include a municipal jail would cost \$18,830,000 and require an assessment of \$.57 per thousand.

If a decision were made to construct a municipal jail as part of the public safety facility, some construction cost savings could be realized.

A concept drawing depicting the proposed Public Safety Facility and Jail was distributed during the work session and was on display at the Council Regular Meeting.

Chief Smith said discussions regarding a new police facility have taken place since 1995 and a jail was also part of the discussions. He referred to the Space Needs Study conducted in 1999. Staff has concluded there is enough city owned land on the current Police Department site to accommodate a new facility. The resolution and ballot title are before council tonight for their consideration and adoption if they choose.

Chief Smith referred to the companion issue of operating costs for a jail. Staff will work on that component. Some ideas revolving around funding for staffing the jail include the formation of a fire district which would free up General Fund money, working with Lane County criminal

justice partners to find a solution to resolve the capacity issues, and increasing the current levy that funds staffing in the police department that is subject for renewal in 2006. He thanked staff, including Carole Knapel and Mike Harman, the DLR Group, ECONorthwest, and Heery International. Many hours have been put in from other staff on this item as well.

Councilor Ballew asked why the ballot title stated eighty beds, when discussion included one hundred beds. She asked which number was correct.

Chief Smith said the capacity is for one hundred beds. There are forty cells, each could house two inmates, but there are additional holding areas that could provide for another twenty people.

Mr. Kelly said Mr. Leahy would research this and make it clear in the ballot title.

Mayor Leiken opened the public hearing.

1. Dan Egan, 850 N. 6th Street, Springfield, OR. Mr. Egan is the Executive Director of the Springfield Chamber of Commerce, but spoke as a citizen of Springfield, not on behalf of the Chamber. When visitors come to the Chamber, they ask about employment, housing, neighborhoods, schools, and public safety. Public safety is quite high on their list of priorities. They soon become aware of our high property crime rate. He has a growing appreciation of public safety issues. It has been frustrating in his role, serving on the Lane County Law Enforcement Finance subcommittee, looking to business leaders in the county to try to address the high crime rate. He does not feel that Lane County will resolve this problem in the near future. He is concerned about Springfield, because when people come here, they are looking to live in Springfield, not Lane County. It is frustrating that there is no solution to the petty crimes that go unchecked because there is no capacity. It is time to give the citizens a choice to find a solution. Give citizens the opportunity to make up their own minds. We have to turn this around because we don't want to have that type of reputation out there.
2. Fred Simmons, 312 S. 52nd Place, Springfield, OR. Mr. Simmons said the reality is the Police Facility building is in terrible condition. The police officers go out on the street and arrest people. It costs about \$700 to transport them to the jail, they get turned loose, and they are rearrested again and again. The cost of doing nothing is substantial. Springfield ranks very high in property crimes in the state. Council's discussion earlier during their work session regarding deferring building until operating costs was interesting. The poll results suggest a substantial majority of the citizens support the creation of this facility. The county will not resolve this issue, so the city needs to move forward. He favors about eighty dollar per year range, but it does need to be funded, not like the juvenile facility. Springfield citizens want the opportunity to vote on this and want the facts. The police officers, the courts and the community will be in support.
3. Cheryl O'Neill, 24307 High Pass Road, Junction City, OR. Ms. O'Neill is the Assistant Director of Womenspace. Most domestic violence situations are misdemeanors at this time and if this jail is to cover misdemeanors, it would cover these crimes. There are serious crimes in the city that are considered misdemeanor. She discussed the difference of misdemeanor and felonies. It will make a big difference to have control over those who have committed misdemeanors. There is wonderful work being done in batterer intervention in the community, but they need to be able to keep the people in the program and cannot without some type of punishment or sanction for those who do not follow through. There is currently

no leverage. A municipal jail could make a big difference and she appreciates that council is considering this issue.

4. James Strickland, 384 Brookside Drive, Eugene, OR. Judge Strickland is the presiding judge of the Springfield Municipal Court. One issue that is not understood is whether or not the jail would have an affect on the felons that are being released from the Lane County jail. Most people involved in a property crime spree, commit a number of felonies, but also commit a few misdemeanors. He gave an example of someone the city could hold on a misdemeanor, who was matrixed out on the felony. There are a number of cases where the Municipal Jail could be used to hold someone on the misdemeanor crime, who also commits felonies on a continual basis. He told a story of his wife's co-worker who had a vehicle stolen. Because of this theft, this woman could not get to her job at 6:00a.m., and her husband had to arrange his schedule to take the children to school. For some, a car theft is just an inconvenience, but to others it is devastating and becomes an economic disaster. He hopes the council will put this out to the citizens to vote on and it will be approved.
5. Cecil Saxon, 4740 Main Street, Springfield, OR. Mr. Saxon said he appreciated the opportunity to speak before council. Mr. Saxon has had businesses in Springfield and he employs people in Springfield. His prime concern is that crimes, and not just petty crimes, are being committed during daylight hours. He referred to armed robberies that have occurred during daylight hours. He discussed what it does to the labor force when someone has a gun put to their head. There should be no quibbling about whether or not a jail is needed. He referred to Eugene's policy regarding crime. Springfield has a police department that is serious. He commended the police chief, the judge, and the prosecuting attorney for speaking out for a jail. Council should appreciate the fact that the city employs this caliber of people and a dedicated police force. He discussed the fact that petty crime can equate to big dollars. He gave examples of theft on his property and Weyerhaeuser property. No one is immune to this. He discussed having a pick up stolen on Main Street and he does not consider that a petty crime. He feels Springfield should show the City of Eugene, Lane County and the District Attorney that we take care of our problems. If we are doing something in Springfield, it could come back to Eugene. He has a lot of money invested in this community and he is proud to be a citizen of this community.
6. Steve Singleton, 252 North 65th Street, Springfield, OR. Mr. Singleton spoke in support of the ballot measure for the new police station and jail. He wants the full meal deal. As chairman of Springfield's Police Planning Task Force (PPTF), he and other members have studied the need and feasibility of a new jail facility. The police facility is literally falling down around those who work there. He addressed the need for a jail. As a private citizen, he supports this ballot measure in its entirety. He discussed cost versus consequence. The criminal element in our community views our justice system with disdain and impunity. There is a prevailing climate of disrespect of the law and the consequence of breaking it, because there are no consequences. The only cost to criminals would be a few hours of inconvenience while paperwork is completed and they are matrixed out. Many times, they are matrixed out before the police officer has finished writing the paperwork that put them there in the first place. The criminals know the system well. Mr. Singleton is also a victim of crime in this community. He had a substantial burglary in his home while his family was upstairs sleeping. In two months, there were five vandalisms and one major burglary during the construction of the new church building he pastors. His family was the victim of a hit and run where the driver ran into and totaled Mr. Singleton's car. The driver was drunk when this occurred and had fifteen outstanding Driving While Suspended citations. After the driver

was arrested, she was back driving within twenty-four hours. He knows because she was his neighbor. She never had to post bail. When there is no cost to the criminal the consequences will be ours. He has weighed the costs and the consequence of this ballot measure, and the cost pales in comparison to the consequences that we, as a community will suffer if crime is allowed to go unchecked and unpunished. The ballot measure for the police station with the jail could amount to less than twenty-five cents a day for citizens. Considering the alternative, he considers that a real bargain. He agrees that people should vote and it should be each of our responsibility. Commissioner Dwyer was concerned of being taxed to death, but he would much rather take the chance knowing that it will never happen, than being stolen blind or worse.

Mayor Leiken closed the public hearing.

Mr. Leahy said he checked on the ballot title and it can be changed to one hundred beds from eighty beds. In terms of their opinion of what can be constructed, it is fine as long as it is one hundred or less. The only political issue might be that someone notes they voted for one hundred beds and only seventy were constructed. The ballot title will state approximately one hundred beds.

Councilor Ballew said she thinks within the ballot measure it should tell people how much it would cost to operate the jail. It does not need to state how it would be financed, but she thought the cost was important information.

Discussion was held regarding the word limit on the ballot title.

Mayor Leiken said the operating costs are just a good guess at this point.

Mr. Kelly said there is a range of gross costs from \$1.4M to \$1.7M. There is certain debate on what the net costs would be. The gross figure could be reduced anywhere from \$400,000 to \$700,000 based on forfeiture of fines and bails and whether or not we are able to rent bed spaces in a couple of years to Eugene. If they were to put a cost, it would be council's decision whether to put the gross costs in or the net costs. Either one would be a guess.

Councilor Woodrow thanked everyone who spoke during the public hearing. He is also on the PPTF and supports this measure. He is in awe of the men and women who put their life in danger to protect him and his family and to not give them the tools to do their job properly is a disgrace. He would like to ask the citizens of Springfield to get in touch with the City Council or staff so they can get the information to make this decision. This is important to Springfield, the citizens and to our quality of life that we are so proud of in Oregon.

Councilor Lundberg suggested that it is not as important to include the amount of the operating costs, but that there is a clear understanding that the operating dollars are not included. It is hard to understand that a bond measure only pays for construction costs and very little else. It would be sufficient enough to say something to the affect that operating funds will come separately, or the voters will be asked for an operating levy in the future.

Councilor Ballew said it is important to clarify the magnitude to operate a jail.

Councilor Fitch suggested the additional sentence "Operating funds are not included".

Mr. Kelly said staff will be approaching council to see if they would like to fund a small public information campaign. Typically, the city does this when council proposes a measure. The city tries to put out facts. The city is not allowed to put out information that leads the voter to make a decision, but can put out, at public expense, a fact sheet with questions and answers. Council could, in that document, include information about the operating costs that are not included in this ballot measure. The operating costs would be a separate issue in 2006.

Councilor Fitch noted there was a letter from David Lewis, Vice President from the Springfield Police Association (SPA), in support of the police facility and jail. The letter also noted that the SPA would support through this proposal financial resources to help with a Political Action Committee (PAC) if this were to go forward to the voters. This letter was entered into the public record.

Councilor Fitch said these two measures have brought home the amount of leadership and decision making council must do. Four or five years ago if asked if they wanted to be in the jail business, the answer would have been no. It is still not something they would choose to do, but the reality is that there is a cost to doing nothing. There is no accountability when people choose not to obey law. The number one priority of citizens is public safety. This is the opportunity to look at what they want done efficiently. Looking at the cost side of this, council does not want to build something without looking at how to fund the operation. If nothing is done, police officers continue arresting, but with no consequence to the criminal. She is very supportive of this and will be out there trying to persuade citizens to vote for this and to vote.

Mayor Leiken said there has been strong testimony from the public tonight and he appreciates all of them. Council does have to make a motion based on information. Everyone is affected by crime in one way or another. There are many people who do not report some crimes and are not part of the statistic.

Mr. Leahy went through the ballot title, referring to several deletions of the words “the”, “a”, “also”, and “city”. The year the existing facility was built should be changed to “1949”, from “1947”. He explained that dollar signs are counted as separate words. He added the following sentence at the end: “Gross cost of operation as presently estimated would be approximately \$1,400,000.” The reason he worded it that way is because we will have to get an opinion from the bond council that the bonds can be sold for the purposes described. He does not know if the addition of that sentence will be accepted by the bond council, so he did not want to make it set in cement, but rather to state that this is the best information we have now. It is a good faith representation of where we are to the voters, but in the event it is slightly more or less, the bonds don’t rise or fall on that. We are simply providing information at this point to the voter because that is what council wants.

Councilor Ballew said the words ‘estimated’ and ‘approximately’ are similar. She suggested shortening the sentence by stating, “the bond cost is estimated at \$___ “.

Councilor Ralston said he would prefer stating the net cost rather than the gross.

Mr. Kelly said one option could just be to state that “operating costs are not included in this proposal” and not get into whether it is gross or net costs.

Councilor Lundberg said listing the gross costs does not make it clear that it is not part of what the public is buying. She suggested stating only that operational costs are not included or leave

that part off the ballot title completely. Leave it up to the city to make sure that piece of information is well distributed. She would have a tendency to leave it off because it makes it more confusing rather than clarifying.

Councilor Ballew said she discussed this with her own father, who is supportive of a jail, but remarked that it doesn't include the cost of running it. It is so important that citizens feel fully informed.

Councilor Ralston said it should be in there somewhere.

Mayor Leiken asked council for direction on whether or not to include a dollar figure of the operational costs in the ballot.

Mr. Leahy said including "Operating costs are not included in these bonds" would fit, too.

Councilor Woodrow asked if there was room to include "Operating costs of \$1,400,000 are not included".

Ms. Pappas said there is room to include that sentence. If it only states, "Operating costs are not included", people will ask how much those costs would be.

Mr. Kelly said his recommendation would be to leave the ballot title as proposed, amended with the corrections within the summary, with direction to staff to emphasize the operating costs issue in the public information campaign.

Mayor Leiken asked for a show of hands of those wanting the \$1,400,000 included and those not wanting the cost included.

Councilor Lundberg said her first choice would be to leave the ballot title alone, but to direct city staff to include the operational costs in the public information campaign.

Mr. Leahy said they could direct city staff to include that information in the public information campaign.

Councilor Fitch said she does not want to include the costs in the ballot title. She referred to the second motion council would be making and directing that the information campaign spells out the operating costs. The jail component would not be built until there was a source for those costs and a more exact figure. The numbers need to be more accurate before including those in the ballot title. It is going to be one and a half to two years before construction begins. She would opt to have a separate motion stating that the jail component would not be constructed until funding has been identified. That could be spelled out in the informational campaign.

Councilor Ballew said many people only know what is on the ballot, not in the information campaign.

Councilor Ralston said there is a negative feeling by the community regarding the Lane County juvenile facility that was built, but is not operational because of lack of operational funds. He wants people to know that if approved, the city will be committed to staff the facility. He doesn't want any confusion about that. He would support whatever it takes to do that. He suggested "If approved, funding will be worked out" or something to that affect.

Mr. Kelly referred to his discussion with council during their work session regarding contact with the bond council because staff knew they would recommend to council to not sell the bonds to construct the jail until council feels it has sufficient resources to staff the jail. Staff prepared a motion that indicates that if the measure passes in November, we could proceed with the design of the full facility including the jail, proceed with construction of the police building, court and prosecutor activities, but no bond would be sold for the construction of the jail until we have adequate staffing in place and council certified the bond council by passing a resolution stating sufficient resources for staffing the jail are identified. According to the bond council, it becomes a contingency that will interfere with the sale of the bonds for the jail until we certify that we have sufficient staffing. Staff wanted to do this to insure the voters and Lane County that although we are seeking voter authorization for as much as \$28,650,000, until we have the staffing plan, the expenditure for the jail will not be spent. That condition is on the bonds with the subsequent motion that staff has prepared for council consideration.

Councilor Ralston said if the citizens approve this, they are approving the jail as part of the concept. If in five years, the city determines they cannot identify funding to staff the jail, the citizens have approved something that will not happen. He doesn't want that situation either. If they pass this, he wants them to know they will have a jail. The voters may be voting for the jail and expecting a jail.

Mayor Leiken said there are individuals in the community who would gather signatures and challenge this if it doesn't sit right with them. It is important to make sure it is written in a way that there is an understanding involved. We need something in writing that states the operating costs are not included.

Councilor Ballew said we could compromise by leaving the dollar amount out of the ballot title or put certain words in bold.

Mr. Leahy read the different options:

"Gross operating costs are not included."

"Gross costs of operation presently estimated at \$1,400,000 are not included."

"Gross operating costs estimated at \$1,400,000 per year are not included in the bonds."

Councilor Ballew suggested, "Annual operating costs estimated at \$1,400,000 are not included."

Councilor Fitch added, "Gross" in front of "annual operating costs".

Discussion was held regarding putting words in bold.

Mr. Leahy said we would delete the words he referred to earlier, change "80" to "100", change "1947" to "1949", and add a sentence at the end that says, "Gross annual operating costs estimated at \$1,400,000 are not included".

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 04-39 WITH THE CHANGES NOTED WITH EXHIBIT A WITH THE BALLOT TITLE. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

Mr. Leahy noted that “are not included” should perhaps be changed to “would not be included” so it doesn’t assume the measure will pass.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO CORRECT THE ENGLISH LANGUAGE PER THE CITY ATTORNEY FROM “ARE NOT INCLUDED” TO “WOULD NOT BE INCLUDED”. THE MOTION PASSED WITH A VOTE OF 5 FOR A 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW THAT THE ISSUANCE OF THE BONDS FOR CONSTRUCTION OF THE JAIL COMPONENT OF THE POLICE, COURTS AND CITY PROSECUTOR FACILITY NOT OCCUR UNTIL THE COUNCIL IS SATISFIED THAT THERE IS PROPER FUNDING FOR STAFFING AND OPERATIONS OF THE JAIL; HOWEVER, THE BONDS CAN BE ISSUED FOR PRELIMINARY EXPENDITURES INCLUDING DESIGN OF THE ENTIRE FACILITY AND FOR CONSTRUCTION OF POLICE, COURTS AND CITY PROSECUTOR FACILITIES. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

Mayor Leiken thanked the audience for their patience. This is a very important topic and an enormous step. He thanked the City Attorney for his assistance with the language on the ballot title and Finance Director Bob Duey and his staff.

BUSINESS FROM THE AUDIENCE

1. Curtiss Greer, 357 55th Street, Springfield, OR. Mr. Greer read from his letter regarding the recent increase in sewer rates and the premature charges for those rates. His letter was entered into the public record. Mr. Greer did speak with staff regarding this issue and feels no one is being held accountable.

Ms. Pappas said Mr. Greer is correct. The billing does reflect back one month and the Metropolitan Wastewater Management Commission (MWMC) staff and city staff are working on this issue with the Springfield Utility Board (SUB), who is the city’s billing partner.

Mayor Leiken noted that Mr. Greer had also talked to him about this issue. As soon as possible, the Mayor and council would like to hear from staff on the resolution of this problem.

Mr. Kelly said staff would include a memo in next week’s Communication Packet to council.

CORRESPONDENCE AND PETITIONS

1. Correspondence from Susan Ban, Vice President, Lane Transit District (LTD) Board of Directors, P.O. Box 7070, Eugene, OR Regarding Local Match for Pioneer Parkway EmX Line.
2. Correspondence from Steve Stermer, Board President, Springfield Museum Board, 590 Main Street, Springfield, OR Regarding Balance of Operating Cash Account.
(Please see attached staff response.)
3. Correspondence from Nick Shevchynski, 2347 Marcola Road, Springfield, OR 97477 Regarding Objections to the City’s Costs and Disbursements.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO ACCEPT THE CORRESPONDENCE FOR FILING. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

BUSINESS FROM THE COUNCIL

1. Councilor Fitch reminded council that although they are on recess, there is a TEAM Springfield meeting on Wednesday, August 18.
2. Councilor Woodrow has been selected by Commissioner Bobby Green and the chair of the Public Safety Coordinating Council to go to the Governor's Summit on Juvenile Justice in September in Clackamas. He will attend a preliminary meeting on that tomorrow with local staff.
3. Mayor Leiken reported on the ribbon cutting of the temporary I-5 bridge. This week he will meet with several other mayors and the Governor to discuss several issues, particularly those related to cities. Marty Brantley, Oregon Economic and Community Development Department (OECD) Director will also be attending this meeting.
4. Councilor Ballew reminded council of the Health Center opening on Friday, August 20 with Senator Wyden. There is also a Work Force Partnership meeting with both Senator Wyden and Congressman DeFazio on Friday.

Mayor Leiken noted that Senator Ron Wyden will be in the community for the next week.

5. Councilor Ralston discussed the inserts he receives for the Development Code and Municipal Code.

Councilor Ballew suggested keeping only one copy which could be available in the City Manager's Office and council can just access these documents online or in the office. Council will bring in their old notebooks to be recycled.

BUSINESS FROM THE CITY MANAGER

1. Council Initiation of a Type II, Site Specific Text Amendment of Metropolitan Area General Plan (Metro Plan) Regarding the Provision of Fire and Emergency Medical Services in the City Limits of Springfield.

Planning Manager Greg Mott presented the staff report on this item. A proposal last year to provide fire and emergency medical services within the city through annexation to Willakenzie Fire District was denied by the Lane County Local Government Boundary Commission because the proposal was "not consistent with the policies of the Metro Plan." To eliminate the recurrence of that particular conclusion, the proposed Metro Plan text amendments specifically allow Springfield and a special district provider to enter into an urban services agreement for the provision of fire and emergency medical services within the city limits of Springfield.

On February 6, 2004, the Lane County Boundary Commission denied an application of the city to annex to the Willakenzie Fire District. The Boundary Commission based this decision on the absence of Metro Plan policies specifically supporting the provision of fire service through urban service agreement. Representatives from Lane County appeared at the hearing and voiced similar

opinions. Because fire and emergency medical services are not a requirement of state-wide land use goals concerning public services (Goal 11), and because Oregon Revised Statutes specifically provide for cities and counties to enter into urban services agreements with special district providers, the proposed site-specific Metro Plan text amendment allowing for such an agreement for the City of Springfield is presented for council consideration.

Mr. Mott said it is staff's hope that the proposed text amendment will enable the city to go forward in a similar fashion to the Boundary Commission in the event that we arrive at an agreeable position with whoever happens to be providing fire and life safety service as a special district provider without the question of compliance with the Metropolitan Plan. We are still living under a system that requires a political decision to be forced through a land use process. This amendment would simplify that process.

Councilor Woodrow asked if Lane County and the City of Eugene would have to approve this amendment.

Mr. Mott said Springfield's City Manager, City Attorney and himself are meeting with the Lane County counsel and County Administrator on Tuesday, August 17, to confirm they do not have to approve this amendment.

Councilor Ralston said he is strongly opposed to the fire district, not because of the Metro Plan, but because he feels the citizens do not want to pay double for services. He would have felt better if we had gotten approval from the citizens first. He will not approve the changes as they are.

Councilor Fitch said she would love our citizens to have the opportunity to vote on this, but without initiating this change for Springfield only, that right was taken away by the Lane County Boundary Commission. The reason it was taken away was because of the Metro Plan. Whether or not we have a fire district or not should be up to citizens. Without this change, they do not even have the opportunity to vote.

Councilor Ralston asked if the citizens would have an opportunity to vote for a fire district if we change the language in the Metro Plan, and Lane County and Eugene both agree to the change.

Mr. Kelly said last year when the council agreed to send the fire district item to the Lane County Boundary Commission, they determined that if the Boundary Commission approved it, council would bring it to the voters by a remonstrance vote by their own initiation. If the city can craft language that does not require approval by Lane County and City of Eugene, the fire district would again go to the Boundary Commission at some point in the future. The Boundary Commission must still approve. Based on the motion of this council, they could take it immediately to a vote of the people. It would be council's choice.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPROVE INITIATING THE PROCESS OF METRO PLAN TEXT AMENDMENT, AS PROVIDED IN CHAPTER IV PLAN REVIEW, AMENDMENT, AND REFINEMENT OF THE METRO PLAN AND ARTICLE 7 METRO PLAN AMENDMENTS OF THE SPRINGFIELD DEVELOPMENT CODE, TO ALLOW THE CITY OF SPRINGFIELD THE OPTION TO PROVIDE FIRE AND EMERGENCY MEDICAL SERVICES WITHIN THE CITY LIMITS THROUGH URBAN SERVICE AGREEMENT WITH SPECIAL DISTRICT PROVIDERS. THE MOTION FAILED WITH A VOTE OF 2 FOR (FITCH, WOODROW) AND 3 AGAINST (RALSTON, BALLEW AND LUNDBERG).

Mr. Leahy asked for a motion by council to direct him to insert the word “jail” before the word “operating” in the last sentence of the Public Safety Facility ballot title.

IT WAS MOVED BY COUNCILOR BALLEW WITH A SECOND BY COUNCILOR FITCH TO DIRECT THE CITY ATTORNEY TO INSERT THE WORD “JAIL” BEFORE THE WORD “OPERATING” IN THE LAST SENTENCE OF THE PUBLIC SAFETY FACILITY BALLOT TITLE. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

Mayor Leiken referred to the last topic that was discussed relating to the Metro Plan amendment. With strong momentum the Lane County Boundary Commission may be eliminated. This is the last boundary commission in the State of Oregon. He asked where the question of a fire district would go if the Boundary Commission were eliminated. It would go to the Lane County Board of Commissioners.

ADJOURNMENT

The meeting was adjourned at 9:15 p.m.

Minutes Recorder Amy Sowa

Sidney W. Leiken
Mayor

Attest:

Amy Sowa
City Recorder